

REMARKS

I. Introduction

Claims 15 to 31 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants express appreciation for the acknowledgment of the claim for foreign priority and the indication that all copies of the certified copies of the priority documents have been received from the International Bureau.

Regarding the foreign references that were apparently not provided with the Information Disclosure Statement, a Supplemental Information Disclosure Statement including copies of these foreign references is being filed with this response.

II. Objections to the Specification

Regarding the objection to the Abstract, the Examiner will note that the Abstract has been amended to shorten it to fewer than 150 words.

Regarding the objection to the inclusion of a URL on page 2, lines 12 to 13, Applicants respectfully disagree with the contention that the URL constitutes an embedded hyperlink or other form of browser-executable code. As stated in M.P.E.P. § 608.01(VII), a hyperlink or a browser-executable code is, e.g., “a URL placed between these symbols ‘< >’ and http:// followed by a URL address.” The stated purpose of prohibiting hyperlinks and browser executable code is to prevent the URL from being interpreted as a valid HTML code and becoming a live web link when an application or patent is placed on the USPTO web page. The URL appearing on page 2, lines 12 to 13 of the present Specification are not formatted as hyperlinks or browser-executable code.

Regarding the mention of “flat pick-up 7,” the Examiner will note that the Specification has been amended to change “flat pick-up 7” at page 9, line 32 to --flat pick-up 2--.

In view of all of the foregoing, withdrawal of these rejections is respectfully requested.

III. Claim Objections

Regarding the dependencies of claims 25 to 27, 37 C.F.R. § 1.75(c) merely requires a dependent claim to refer back to (and further limit) another claim or claims. Claims 25 and 26 refer back to claim 15, and claim 27 refers back to claim 24. As such, claims 25 to 27 are in proper dependent form in compliance with 37 C.F.R. § 1.75(c).

Regarding the objection to the phrase “the route” in line 11 of claim 15, the Examiner will note that the phrase “the route” in lines 5 and 7 has been changed to --the at least one route--, and the phrase “the route” in line 11 has been changed to --the additional route--. In addition, the spelling error in claim 15 has been amended as suggested.

Regarding the objection to the term “satellite route section” in the last line of claim 20, the Examiner’s attention is respectfully directed to, for example, page 4, lines 18 to 33 and page 10, lines 19 to 21 of the Specification and Figures 1 and 4.

Regarding claims 23 and 27, the Examiner will note that these claims have been amended as suggested.

Regarding the lack of antecedent basis for the term “the primary line” in claim 28, this claim has been amended to change the term “the primary line” to --the primary conductors--, for which antecedent basis is provided in lines 16 to 17 of claim 15.

Accordingly, withdrawal of these objections is respectfully requested.

IV. Rejection of Claims 15 to 19, 23, 24, 28 and 29 Under 35 U.S.C. § 103(a)

Claims 15 to 19, 23, 24, 28 and 29 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 6,213,025 (“Sauerwein et al.”) and U.S. Patent No. 3,800,963 (“Holland”). It is respectfully submitted that the combination of Sauerwein et al. and Holland does not render these claims unpatentable for at least the following reasons.

Claim 15 relates to a lateral guidance transportation system, including: at least one route including carrier elements and lateral guidance elements; and at least one transportation vehicle arranged as a main vehicle and including a device adapted to automatically move the transportation vehicle along the at least one route, energy being transferred to the transportation vehicle one of (a) by a primary

circuit having a contact wire arranged along the at least one route and (b) in a contactless manner, the transportation vehicle including a lifting platform driven by a drive, the transportation vehicle including at least one satellite vehicle including a drive automatically movable along an additional route and adapted to transport goods. The additional route includes a satellite route section for positioning and parking of the satellite vehicle. The satellite route section is alignable by positioning the main vehicle on satellite routes arranged transversely to a main vehicle route, the satellite routes being arranged on shelves. The satellite route section and the satellite routes include primary conductors supplied with energy in a contactless manner from the main vehicle.

Sauerwein et al. describes a track-guided transport system including a carrier vehicle (2) that runs along a travel path (1) and satellite vehicles (3, 9) that run along satellite tracks (7, 8) oriented perpendicularly to and flush with the travel path (1) of the carrier vehicle (2). The carrier vehicle includes satellite travel sections (5, 6), onto which the satellite vehicles (3, 9) may be driven, and which allow the carrier vehicle (2) to transport the satellite vehicles (3, 9) from track to track.

However, **Sauerwein et al. does not disclose, or even suggest, that a satellite route section and satellite routes include primary conductors supplied with energy in a contactless manner from a main vehicle. Although, as indicated in column 3, lines 59 to 65, the carrier vehicle (2) and the satellite vehicles (3, 9) of Sauerwein et al. are powered wirelessly by primary circuits laid along the travel path (1), the satellite travel paths (7, 8) and the satellite travel sections (5, 6), Sauerwein et al. nowhere mentions that the primary circuits are powered contactlessly from the carrier vehicle (2).**

Holland describes, in turn, a transportation system for load-carrying pallets, including a host machine (16) having a carriage (18) and a carrier platform (20), as well as a pallet carrier (22) capable of carrying pallet loads (10) to and from the host machine (16). The pallet loads (10) are stored on pallets (14) that are stored in tiers (T1-T3) and lanes (L1-L5) formed by a trusswork of vertical columns (24), horizontal rails (26) and frame members (28). In addition, as indicated from column 3, line 64 to column 4, line 1, as well as in column 5, lines 56 to 63, the pallet carrier (22) is powered from the host machine (16) by a power-control belt (38), which is wound on a reel (76) driven by a hydraulic motor (74) situated on the carrier (22). The belt (38) is let out as the carrier (22) travels away from the host machine (16) and wound back on the reel (76) as the

carrier moves toward the host machine (16). However, **the alleged motivation referred to in the Office Action for combining the disclosures of Sauerwein et al. and Holland, i.e., to reduce the cost of extensive power supply systems, is untenable, as Holland expressly teaches away from its combination with Sauerwein et al.** As discussed above, Sauerwein et al. describes a transport system in which a carrier vehicle and multiple satellite vehicles are powered by primary circuits laid along their travel paths. In addition, Holland et al. indicates, in column 1, lines 30 to 42, that systems having multiple transport vehicles are very expensive due to the number of vehicles required and the extensive power supply systems needed for powering the vehicles. In column 1, lines 42 to 55, Holland further states that each vehicle in such systems must either be powered by a battery, which is not practical, or by installing power rails along the entire pathway of each vehicle, which adds greatly to the cost of such systems and can be considered corresponding to the primary circuits Sauerwein et al. Furthermore, a main objective of Holland is to develop a flexible and efficient transport system not having the greatly increased cost of multiple vehicle systems (see column 1, line 66 to column 2, line 2). Moreover, even if it were proper (which is, however, not conceded) to combine the disclosures of Sauerwein et al. and Holland for the purpose of contactlessly powering the primary circuits of Sauerwein et al. from the carrier vehicle (2) of Sauerwein et al., the extensive power supply systems, i.e., the primary circuits laid along the vehicle travel paths, which Holland found to be disadvantageous, would still be present. Accordingly, it is respectfully submitted that the combination of Sauerwein et al. and Holland does not render claim 15 unpatentable for at least these reasons.

As for claims 16 to 19, 23, 24, 28 and 29, which depend from claim 15 and therefore include all of the features of claim 15, it is respectfully submitted that the combination of Sauerwein et al. and Holland does not render these dependent claims unpatentable for at least the reasons set forth above.

Regarding claim 16, it is respectfully submitted that the combination of Sauerwein et al. and Holland does not render this claim unpatentable for the following additional reasons. Neither Sauerwein et al. nor Holland discloses, or even suggests, the feature of claim 16 that a drive of a lifting platform is provided with energy in a contactless manner. Holland does not specify how a drive of any motor that raises or lowers carriage (18) and carrier platform (20) is powered. In addition,

the stated motivation for contactlessly powering a drive of a lifting platform, i.e., to reduce the number of unique parts required for maintenance, is untenable, as the Office Action fails to explain how contactlessly powering a vertical drive necessarily reduces the number of parts to be maintained. Whether hard-wired or contactless, a drive still requires line conductors. In addition, contactless powering requires that a pick-up be situated between the conductors and the drive. Thus, the stated reduction in the number of parts to be maintained is not understood. Accordingly, it is respectfully submitted that the combination of Sauerwein et al. and Holland does not render claim 16 unpatentable for these additional reasons.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

V. Rejection of Claims 20 to 22 Under 35 U.S.C. § 103(a)

Claims 20 to 22 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Sauerwein et al., Holland and U.S. Patent No. 4,833,337 ("Kelley et al."). It is respectfully submitted that the combination of Sauerwein et al., Holland and Kelley et al. does not render these claims unpatentable for at least the following reasons.

Claims 20 to 22 depend from claim 15 and therefore include all of the features of claim 15. As set forth above, the combination of Sauerwein et al. and Holland does not render unpatentable claim 15, from which claims 20 to 22 depend. In addition, Kelley et al. describes an inductive coupled power system but does not cure the deficiencies of the combination of Sauerwein et al. and Holland noted above. Accordingly, it is respectfully submitted that the combination of Sauerwein et al., Holland and Kelley et al. does not render unpatentable claims 20 to 22, which depend from claim 15.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VI. Rejection of Claim 25 Under 35 U.S.C. § 103(a)

Claim 25 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Sauerwein et al., Holland and U.S. Patent No. 6,583,697 ("Koyama et al."). It is respectfully submitted that the combination of Sauerwein et

al., Holland and Koyama et al. does not render these claims unpatentable for at least the following reasons.

Claim 25 depends from claim 15 and therefore includes all of the features of claim 15. As set forth above, the combination of Sauerwein et al. and Holland does not render unpatentable claim 15, from which claim 25 depends. In addition, Koyama et al. describes a transformer having a small footprint but does not cure the deficiencies of the combination of Sauerwein et al. and Holland noted above. Accordingly, it is respectfully submitted that the combination of Sauerwein et al., Holland and Koyama et al. does not render unpatentable claim 25, which depends from claim 15.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VII. Rejection of Claims 26 and 27 Under 35 U.S.C. § 103(a)

Claims 26 and 27 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Sauerwein et al., Holland, Koyama et al. and U.S. Patent Application Publication No. 2001/0006364 ("Lin et al."). It is respectfully submitted that the combination of Sauerwein et al., Holland, Koyama et al. and Lin et al. does not render these claims unpatentable for at least the following reasons.

Claims 26 and 27 ultimately depend from claim 15 and therefore include all of the features of claim 15. As set forth above, the combination of Sauerwein et al., Holland and Koyama et al. does not render unpatentable claim 15, from which claims 26 and 27 ultimately depend. In addition, Lin et al. describes a low profile transformer but does not cure the deficiencies noted above. Accordingly, it is respectfully submitted that the combination of Sauerwein et al., Holland, Koyama et al. and Lin et al. does not render unpatentable claims 26 and 27, which ultimately depend from claim 15.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VIII. Conclusion

In light of the foregoing, Applicants respectfully submit that all pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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